



Division of Local Government Services

2023-24 Local Government Efficiency Grant Program Request for Applications RFA # 23 LGE-18 Grant Application and Instructions

Local Government Efficiency Grant Program

KEY DATES

| | |
|---|--|
| Release Date: | Monday May 15, 2023 |
| Questions Due Date: | June 16, 2023 |
| Updates & Responses to Questions Posted Date: | July 7, 2023 |
| Application Due Date: | Friday, July 28, 2023, at 4:00 PM |
| Applications must be submitted through the web-based Consolidated Funding Application. | |

Contact:

New York State Department of State
Division of Local Government Services
Local Government Efficiency Program
RFA #23-LGE-18
One Commerce Plaza
99 Washington Avenue, Suite 1015
Albany, New York 12231

Application Submission:

Applications are being solicited through the New York State Consolidated Funding Application (CFA)

Applications are available at:

<https://apps.cio.ny.gov/apps/cfa/>

STATE OF NEW YORK
DEPARTMENT OF STATE

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SECRETARY OF STATE

Table of Contents

| | |
|--|----|
| I. Local Government Efficiency Grant Program | 1 |
| Introduction | 1 |
| II. LGE Application Information | 2 |
| Eligible Applicants | 2 |
| Eligible Projects | 2 |
| Project Funding | 2 |
| Project Match | 2 |
| Eligible Expenses | 3 |
| Ineligible Expenses | 3 |
| III. Preparing an LGE Application | 4 |
| Getting Started | 4 |
| Application Workshops | 4 |
| Questions | 4 |
| Grant Due Date | 4 |
| IV. Application Review | 5 |
| Review Process | 5 |
| Application Scoring | 5 |
| Smart Growth Impact | 5 |
| Minority- And Women Owned Business Enterprises Utilization | 6 |
| V. LGE Project Application and Evaluation | 7 |
| Threshold Questions | 7 |
| Basic Questions | 7 |
| Required and Optional Documents | 8 |
| LGE Standard Questions | 9 |
| Smart Growth Questions | 15 |
| Application Certification | 16 |
| VI. Awards and Grant Administration | 17 |
| Awards | 17 |
| Contracts | 17 |
| Contract Administration | 17 |
| Schedule of Payments | 18 |
| Required Reports | 18 |
| Project Performance | 18 |
| General Specifications | 18 |
| Reserved Rights | 19 |
| Attachments | 21 |
| Appendix A, Definitions | 22 |
| Appendix B, Fiscal Impact Worksheet | 25 |
| Appendix C, Minority- And Women-Owned Business Enterprises | 27 |
| Appendix D, Work Plan & Budget Template | 31 |

I. Local Government Efficiency Grant Program

Introduction

The Local Government Efficiency (LGE) Grant program is intended to incentivize new actions between local governments that will reduce the cost of municipal operations and modernize the delivery of local services, thereby limiting growth in property taxes. Applicants must illustrate significant commitment to project completion and clearly demonstrate, through financial estimates and performance measures, the long-term benefit to New York taxpayers.

II. LGE Application Information

Eligible Applicants

Eligible local government entities are counties, cities, towns, villages, special improvement districts, fire districts, public libraries, association libraries, public library systems (if they advance a joint application on behalf of member libraries), water authorities, sewer authorities, regional planning and development boards, school districts, and Boards of Cooperative Educational Services (BOCES). A board of cooperative educational services will be considered a municipality only in instances where such board of cooperative educational services advances a joint application on behalf of school districts and other municipalities within the board of cooperative educational services region, but any agreement with a board of cooperative educational services:

1. Will not generate additional state aid;
2. Will be deemed not to be a part of the program, capital and administrative budgets of the board of cooperative educational services for the purposes of computing charges upon component school districts pursuant to Education Law § 1950(1),(4)(b)(7) or §1951(1); and
3. Will be deemed to be a cooperative municipal service for purposes of Education Law § 1950(4)(d)(2).

To be eligible for funding, past awardees must have demonstrated responsible contracting in any past or current Department of State (DOS) contract.

Eligible Projects

Two or more local governments are eligible to apply for funding assistance to plan for and implement shared services, functional consolidations and local government consolidations and dissolutions not eligible under the Citizens Reorganization and Empowerment Grant (CREG). (For more information about eligibility under the CREG program please contact the Division of Local Government Services at 518-473-3355.)

Applications are evaluated based on the potential municipal tax levy impact, project need, service delivery benefits, operational changes, local and regional capacity, project readiness (ability to complete the project in 5 years) and the comprehensiveness and specificity of the work plan and budget.

Project Funding

This year approximately \$3.6 million is allocated for implementation projects and approximately \$400,000 for planning projects. All awards are reimbursement grants to successful applicants.

The total maximum cumulative funding for an Implementation Grant is \$200,000 for each local government involved in the project, not to exceed \$1,000,000. The maximum funding for a Planning Grant is \$12,500 for each local government involved in the project, not to exceed \$100,000. Award limits apply to existing LGE awards that include a new phase of development but not new partners.

Project Match

Applicants are required to provide local cash matching funds for all projects.

- Implementation awards **require** local cash matching funds equal to at least 10% of the total project cost.
- Planning Grants **require** local cash matching funds equal to at least 50% of planning costs.
- In the event an applicant is implementing a project that the applicant developed through a

successfully completed planning grant funded under the Local Government Efficiency grant program or the Shared Municipal Services Incentive grant program, the local matching funds required shall be credited by the local matching funds required by such successfully completed planning grant up to the amount of local matching funds required for the implementation grant. To be considered a successfully completed planning grant, the grant must be completed and paid in full by September 29, 2023.

Example: The following chart shows what the state and local shares would be for different sized projects

| Calculation of Match as per Local Government Efficiency Program | | | | |
|---|----------------------|-----------------|-----------------|-----------------|
| Total Project Cost | Implementation Grant | | Planning Grant | |
| | 10% Local Share | 90% State Share | 50% Local Share | 50% State Share |
| \$20,000 | \$2,000 | \$18,000 | \$10,000 | \$10,000 |
| \$50,000 | \$5,000 | \$45,000 | \$25,000 | \$25,000 |
| \$100,000 | \$10,000 | \$90,000 | \$50,000 | \$50,000 |
| \$222,222 | \$22,222 | \$200,000 | | |
| \$400,000 | \$40,000 | \$360,000 | | |
| \$444,444 | \$44,444 | \$400,000 | | |
| \$1,111,111 | \$111,111 | \$1,000,000 | | |

Eligible Expenses

Local Government Efficiency Grants may be used to cover costs integral to project implementation including, but not limited to:

- legal and consultant services;
- capital improvements and equipment; and,
- transitional personnel costs not to exceed three years.

Ineligible Expenses

- Recurring local government expenses such as salaries, utilities, and overhead, except for transitional personnel;
- Contingency expenses;
- Indirect expenses;
- Approved operating expense of the school district as defined in Education Law § 3602(1)(t);
- Any expenses not fully justified and deemed ineligible by DOS, which will be eliminated from the budget, thereby reducing the award amount;
- Any expenditures funded through the Local Government Efficiency Program (LGE), Citizens Reorganization Empowerment Grant (CREG), Financial Restructuring Board (FRB), Municipal Restructuring Fund (MRF), or any other New York State grant programs; and,
- Additional expenses including, but not limited to: alcohol, out-of-state or out-of-country travel, prizes and awards, honoraria, lobbying expenses, fund-raising events/expenses, grant writing costs, fines and penalties, taxes, deficit funding, religious activities and refreshments for meetings.

III. Preparing an LGE Application

Getting Started

Prior to submission, applicants should review eligibility requirements and program criteria carefully, giving thorough consideration to how the proposed project meets the goals of the LGE program. Applications are solicited through the New York State Consolidated Funding Application and are available at: <https://apps.cio.ny.gov/apps/cfa/>. This program only accepts electronic submission through the CFA process.

Application Workshops

Webinar workshops for the LGE program and the Consolidated Funding Application are available at <https://regionalcouncils.ny.gov>.

Questions

Submit all substantive questions in writing to:

New York State Department of State
Division of Local Government Services
Local Government Efficiency Program
RFA #23-LGE-18
One Commerce Plaza
99 Washington Avenue, Suite 1015
Albany, New York 12231
lgeprogram@dos.ny.gov

To the extent possible, inquiries should cite the RFA section and paragraph to which the question refers. Written questions will be accepted until June 16, 2023.

Questions and answers, as well as any updates and/or modifications, will be posted by July 7, 2023.

This guidance has been posted on DOS's website at: <https://dos.ny.gov/funding-bid-opportunities>.

Grant applications are due by 4:00 PM on July 28, 2023

**Grant applications must be submitted at
<https://apps.cio.ny.gov/apps/cfa/>**

IV. Application Review

Review Process

Applicants must complete all sections of the application to enable submission of a proposal through the online CFA portal. If a project or application is deemed ineligible during the CFA process, applicants may contact the Local Government Efficiency Program for a review of eligibility.

Application Scoring

An application is eligible to receive a total score of 100. An application for project implementation assistance must score a minimum of 60 points, out of a possible 100 points, to be considered for funding. The minimum score for an application for planning assistance is 50 points.

Establishing the LGE Program Score

- Applications will be categorized as either Priority or Non-Priority Applications. Priority Applications include: 1) projects being implemented as the result of a previously funded LGE planning grant; 2) projects included in a previous or pending Countywide Shared Services Initiative (CWSSI) Plan; and 3) projects in one of four Functional Priorities, which are cybersecurity, emergency services, water and wastewater engineering, and climate change initiatives. Each application will receive three independent scores based on a scale of 100, which will be averaged to determine the LGE program score. DOS will select eligible Priority Applications first, from the highest scoring applications to the minimum thresholds noted above. Once all Priority Applications have been selected, DOS will select Non-Priority Applications, starting from the highest scoring applications to the minimum thresholds above.
- The total possible points for all applications are charted below:

| Criteria | Score Scale (Total Possible Points) |
|---------------------------------|--|
| Project Need | Up to 10 points |
| Implementation Questions | Up to 65 points |
| Work Plan and Budget Evaluation | Up to 25 points |

Regional Economic Development Council Feedback

DOS will accept feedback from the applicable Regional Economic Development Council (REDC) on applications received under this grant and will take that feedback into account if practicable.

Smart Growth Impact

Prior to making any commitment of state funds to a public infrastructure project, DOS must determine that the project, to the extent practicable, has accommodated the smart growth criteria set forth in Article 6 of the Environmental Conservation Law, “The New York State Smart Growth Public Infrastructure Act.” Inconsistency with relevant criteria may result in a project being deemed ineligible for funding.

Minority- and Women-Owned Business Enterprises Utilization

Applicants must submit the MWBE Compliance Form with their application. Additional information may be found in Appendix C.

If your project is selected for an award, you will be required to comply with all the contractual requirements, including demonstrating that a good faith effort is made to meet the goals for certified MWBE firm participation as stated in your contract and in accordance with Article 15-A of the Executive Law.

If an applicant chooses to move forward with a project prior to any award announcement, they are responsible for meeting M/WBE requirements established by the State of New York.

V. LGE Project Application and Evaluation

The review of a local government efficiency project application is based upon Threshold Questions, Basic Questions, Required and Optional Documents and Program Specific Questions. All questions must be answered clearly to best describe how the project meets the intent of the Local Government Efficiency Program.

Threshold Questions (Pass/Fail)

Threshold Questions determine minimum eligibility qualifications for the programs you have selected. These questions are not scored. Threshold questions for the LGE Program include:

- Are you an eligible NYS local government entity for the Local Government Efficiency Program? (CFA Question 1956)
- Will the project help local governments reduce expenditures, add revenues, streamline government management or operations, or improve service delivery? (CFA Question 10045)
- Is the applicant able to provide the required matching funds for the project? (CFA Question 10048)
- Are you developing a plan for a local government consolidation or dissolution under General Municipal Law, Article 17-A? If so, please contact the DOS directly for other available funding opportunities. (CFA Question 12881)

Basic Questions

The Basic Questions are associated with all state programs within the Consolidated Funding Application and describe a project in detail. These questions summarize the local government's need for the project, the project's goals, and intent for each program within the CFA. Please remember, if applying for multiple grants using this single application, the project description should relate to all grant opportunities.

Project Description (CFA Question 575)

The project description tells the reviewers about the project. This description should be concise and include:

- the project's location;
- detail on what is being planned, designed, or constructed; and,
- the expected outcomes and performance measures.

Statement of Need (CFA Question 976)

The Statement of Need provides a clear overview of the local government's reasons for undertaking the project. For a Local Government Efficiency project, include an explanation of the financial, management, or service delivery challenges that the project addresses or will correct/resolve.

Required and Optional Documents

The Required and Optional Documents section of the CFA lets applicants upload information crucial to describing the project benefits and the use of program funds. The format of the CFA stipulates that Required & Optional Document questions:

- must be grouped together for each separate question;
- may refer to multiple types of information required throughout the application; and,
- are used to evaluate the applicant's project.

The Required & Optional Documents are the basis for some scoring criteria.

REMINDER: Only one attachment is permitted for each of the following CFA questions. If you attach multiple documents, only the last document attached will remain. All others will be deleted. If you need to attach multiple documents, merge them into a single document, and then upload the merged document.

Required Documents

1. LGE Fiscal Impact Worksheet (CFA Question 12354)

To determine the long-term fiscal impact of a local government efficiency project, applicants must upload the Excel worksheet in the application. The worksheet may be accessed from the DOS website at <https://dos.ny.gov/funding-bid-opportunities>. This link goes directly to the DOS main 'Grant Opportunities' webpage. Please select the current LGE RFA title and the document can be found there as a fillable form.

The worksheet is intended to provide an objective analysis of the anticipated financial impact of the project, including reductions in expenditures and/or increased revenues and tax levy impact resulting from the project, exclusive of any grant funding. Complete worksheets will include information from for each involved local government applicant. Save worksheets as a PDF file and upload.

Projected cost savings shall not include unexpended fund balances, other grant funding or State incentives. Cost savings may include capital costs avoided by not having to acquire or replace equipment or infrastructure using straight line method of depreciation over the useful life of the asset class. For a complete listing of equipment or infrastructure that may be depreciated for tax purposes, go to New York State Local Finance Law Section 11.00 - Periods of Probable Usefulness at: <https://codes.findlaw.com/nv/local-finance-law/lfn-sect-11-00.html>.

When applying for a Planning Grant, please use the best estimate of potential future cost savings and additional revenues if the project is implemented. To assist in estimating future cost savings generated by a project, past studies and project information may be found at the DOS's website: <https://dos.ny.gov/additional-resources>.

2. Project Budget and Work Plan (CFA Question 12358)

Applicants must upload the work plan and budget document clearly listing the project objectives, and the timelines, tasks, costs, and performance measures for each project objective.

For each task, include:

- a budgeted cost, including personal and non-personal services, and
- a proposed start date and a schedule for completion

Estimate the costs for each task. Discuss why such costs are considered reasonable in Question 12360. All purchases must comply with Article 5A of the General Municipal Law. The LGE work

plan template and budget document are available at: <https://dos.ny.gov/funding-bid-opportunities>. Make a PDF copy of the completed worksheet and upload it with the CFA submission.

3. M/WBE Compliance Form (CFA Question 12359)

Applicants are required to submit the MWBE Compliance Form with their application confirming their understanding of the MWBE requirement and agreeing to show due-diligence and make good faith efforts to provide meaningful participation by MWBEs, whenever possible, if awarded the contract.

Other Documents

These attachments may also be submitted with a LGE application and can help reviewers understand the project and the applicants' commitment to it.

1. Resolutions and Local Agreements (CFA Question 1978)

Municipal resolutions or intermunicipal agreements executed to implement the project that illustrate local support and capacity to implement the project.

2. County-Wide Shared Services Plan (CFA Question 13891 and 13895)

Copies or excerpts from a County-Wide Shared Services Plan adopted by or under consideration by a CWSSI panel. A CWSSI panel is chaired by the chief executive officer of each county outside of New York City and are charged with developing new opportunities to share and coordinate services. If a project is not included in an adopted County-Wide Shared Services Plan, the application must include a letter from the county chief executive officer and the lead applicant declaring their intent to consider the project for inclusion in the 2023 County-Wide Shared Services Plan.

3. Additional Information (CFA Question 3652)

Documents including financial impact analysis, maps, timelines, price quotes, and reports, that support the application.

LGE Standard Questions

Standard Questions are specific to individual programs and are designed to help reviewers evaluate the specific benefits of a project and the alignment with the intent of the program.

Project Partners (CFA Question 11915)

Funding amounts and project eligibility are directly related to the number of project partners. Please list and provide contact information for all the partners involved and describe their role in the project.

LGE Priority Applications

An application will be deemed a Priority application if it meets any of the following criteria:

1. Local Government Efficiency Plan Implementation (CFA Question 11913 & Question 14217)

The LGE Program prioritizes the implementation of previously completed Local Government Efficiency planning projects. If applicable, please describe how the application implements a previously funded plan (must be supported by a resolution or intermunicipal agreement committing to implementation of an LGE plan as specified in the Required and Optional Documents section above).

2. County-Wide Shared Services Plan (CFA Question 13895 & Question 14219)

The project is part of a previously adopted or pending 2023 County-Wide Shared Services Plan (must be supported by a copy of or excerpts from a County-Wide Shared services Plan as specified in the Required and Optional Documents section above).

3. Functional Priorities (CFA Question 13897 & 14220)

- **Cybersecurity** - The project involves implementation or improvements of hardware, software, operational and data management, and training to enhance cybersecurity and prevent unauthorized access to a municipality's digital information.
- **Emergency Services** - The project involves enhancements to or restructuring of local government or fire, police, and emergency medical services.
- **Water and/or Wastewater Engineering** - The project involves improving the efficiency of water and/or wastewater infrastructure or operations on a regional basis.
- **Climate Change Initiatives** – The project invests in shared municipal operations or infrastructure or clean energy, such as solar and wind power, or climate change mitigation.

LGE General Criteria

Type of Project (CFA Basic Question 12301)

The Local Government Efficiency Program funds both the implementation of projects and planning for such projects. Implementation grants require an 90% local cash match and planning grants require a 50% local cash match. In the event the planning grant leads to an implementation grant, 80% of the local cash match will be refunded to the applicant

Project Need (CFA Basic Question 976 and Standard Question 12302) - Up to 10 points

Project need will be based upon existing municipal conditions, including: 1) financial challenges, 2) need to modify delivery of services, and 3) local government management issues. Review will be based upon the following points scale:

| Project Need | Points |
|---|--------|
| Unanswered | 0 |
| Unclear needs | 2 |
| Financial challenges | 4 |
| Need to improve service delivery | 6 |
| Financial and service delivery challenges | 8 |
| Financial, service delivery and management challenges | 10 |

Implementation Questions (up to 65 points)

1. Quality of Fiscal Impact Analysis (Question 12354, 12357 and 3652) – Up to 5 points

Measures quality of information used to calculate Return on Investment below. Review will be based upon the following points scale:

| Quality of Input | Points |
|--|--------|
| Unanswered | 0 |
| Missing tax levy, revenue, or expenditure data | 1 |
| Complete data, but incorrect calculations | 2 |
| Correct calculations, but no notes/explanation | 3 |
| Correct calculations with notes/explanation | 4 |
| Correct calculations, with documentation about financial analysis attached | 5 |

2. Return on Investment (Question 12354 and 12357) - Up to 5 points

Measures the financial impact of the project by dividing total projected savings by the applicants' tax levy. Review will be based upon the following points scale:

| Return on Investment | Points |
|---------------------------------------|--------|
| Unanswered/No Fiscal Impact Worksheet | 0 |
| Less than 0.25% | 1 |
| Up to 0.5% | 2 |
| Up to 0.75% | 3 |
| Up to 1.0% | 4 |
| More than 1.0% | 5 |

3. Project Scale (CFA Question 12294) - Up to 10 points

Measures the geographic footprint of the project. Review will be based upon the following points scale:

| Project Scale | Points |
|-----------------------------|--------|
| Unanswered | 0 |
| Two municipalities | 2 |
| Three municipalities | 4 |
| Four or more municipalities | 6 |
| Countywide | 8 |
| Multi-county | 10 |

4. Project Scope (CFA Question 12295) – Up to 10 Points

Measures the complexity of the project in terms of the number of municipal services and functions involved. Review will be based upon the following points scale:

| Project Scope | Points |
|---------------------------------------|--------|
| Unanswered | 0 |
| No change of scope | 2 |
| Single service | 4 |
| Two or more services in same function | 6 |
| Services in multiple functions | 8 |
| Functional consolidation | 10 |

5. Organizational Impact (CFA Question 12296) – Up to 10 Points

Assesses the impact the project will have on the management and operational structure of the project partners. Review will be based upon the following points scale:

| Organizational Impact | Points |
|---|--------|
| Unanswered | 0 |
| No change in organizational or management structure | 2 |
| Improvement of existing organization or management | 4 |
| New operational structure | 6 |
| New management structure | 8 |
| New operational and management structure | 10 |

6. Project Management Capacity (Question 12300) - Up to 10 points

Evaluates the applicant(s) capacity for the timely completion of the award. This will be an assessment of past performance with a previous LGE grant, as well as other DOS funding. Applicants should provide a description of prior management capacity. Review will be based upon the following points scale:

| Future Potential | Points |
|---|--------|
| Unanswered | 0 |
| Limited or no previous experience described | 2 |
| Limited or no previous experience described and new applicant to LGE | 4 |
| Demonstrated successful completion of past awards | 6 |
| Demonstrated successful completion of past awards and project management process | 8 |
| Demonstrated successful completion of past awards and includes a project management plan describing an existing or proposed internal organizational structure adequate to achieve implementation. | 10 |

7. Municipal Readiness (CFA Question 12298) – Up to 10 Points

Assesses how prepared applicants are to work together to implement the project. Review will be based upon the following points scale:

| Project Readiness | Points |
|---|---------------|
| Unanswered | 0 |
| Planning grant without municipal resolutions from all partners | 2 |
| Implementation grant without municipal resolutions from all partners | 4 |
| Planning grant supported by municipal resolutions from all partners or a memorandum of understanding | 6 |
| Implementation grant supported by a municipal resolution from all partners or memorandum of understanding | 8 |
| Implementation grant supported by both resolutions from all partners and an intermunicipal agreement | 10 |

8. Public Engagement (CFA Question 12299) – Up to 5 Points

Assesses the method and process followed to ensure transparency and public participation during project development and implementation. Review will be based upon the following points scale:

| Public Engagement | Points |
|--|---------------|
| Unanswered | 0 |
| Process unclear | 1 |
| Clear process for public participation in application and project development | 2 |
| Clear process for public participation and stakeholder inclusion during project implementation | 3 |
| Clear process for long-term public participation and stakeholder involvement | 4 |
| Clear process for public participation and stakeholder inclusion during project implementation and long-term, including any public approvals | 5 |

Work Plan and Budget (up to 25 points)

Each application must include a detailed and realistic budget, containing allowable, reasonable, and necessary costs. Program review will include an assessment of the appropriateness of the expenses and the credibility of the budget estimate.

1. Work Plan Detail (CFA Question 12358 and Question 12360) – Up to 5 Points

Evaluates the clarity and detail of work plan tasks, including timelines, performance measures/deliverables and the narrative. Review will be based upon the following points scale:

| Work Plan Detail | Points |
|--|--------|
| Unanswered | 0 |
| Tasks or timeline only | 1 |
| Tasks and timeline | 2 |
| Objectives, tasks, and timelines | 3 |
| Objectives, tasks, timelines & performance measures | 4 |
| All the above plus narrative describing sources of work plan information | 5 |

2. Budget Detail (CFA Question 12358 and Question 12360) – Up to 20 Points

Explains how funding will be used to complete individual tasks for all work plan objectives, and how funds will be sufficient to meet the tasks described in the work plan. Review will be based upon the following points scale:

| Budget Detail | Points |
|--|--------|
| Unanswered | 0 |
| Project costs not verified on work plan and budget | 4 |
| Project costs verified but all funding sources not identified | 8 |
| Project costs verified and all funding sources identified | 12 |
| All the above plus narrative describing cost determination | 16 |
| All the above including written estimate, quote or bid confirming cost determination | 20 |

Smart Growth Questions

DOS is considered an “infrastructure agency” for the purposes of Article 6 of the Environmental Conservation Law, the State Smart Growth Public Infrastructure Policy Act. Under this legislation, no state infrastructure agency shall approve, undertake, support or finance a public infrastructure project, including providing grants, awards, loans or assistance programs, unless, to the extent practicable, the project is consistent with statutory smart growth criteria. Smart Growth encourages community planning and development in priority economic growth areas where water and sewer infrastructure are available; encourages redevelopment of existing community centers; and protects important natural and historic resources, including water quality. If any funds received from a LGE grant would be used for any public infrastructure project that supports local government reorganization, applicants must describe how the project would meet the Smart Growth criteria listed in the application.

The first question will determine the proposed project's applicability to the State Smart Growth Public Infrastructure Policy Act. If the answer is Yes, an applicant will be required to answer the remaining Smart Growth criteria, if it is No, then the criteria are not applicable to the application. While not individually scored by the LGE Program, responses will help determine if a project can be funded.

1. **Does the proposed project maintain, improve, expand or build infrastructure?** (CFA Question 13611)
2. **Explain how the proposed project will use, maintain or improve infrastructure?** (CFA Question 13612)
3. **Explain the need to build new infrastructure instead of using existing infrastructure?** CFA Question 13613)
4. **Is the proposed project located in a municipal center?** (CFA Question 13614)
5. **Is the proposed project located in a developed area or an area designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan?** (CFA Question 13615)
6. **Will the proposed project protect, preserve, and enhance the State's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources?** (CFA Question 13616)
7. **Will the proposed project foster mixed land uses and compact development, downtown revitalization, Brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups?** (CFA Question 13617)
8. **Will the proposed project provide mobility through transportation choices including improved public transportation and reduced automobile dependency?** (CFA Question 13618)
9. **Will the proposed project involve coordination between state and local government and inter-municipal and regional planning?** (CFA Question 13619)
10. **Will the proposed project involve participation in community-based planning and collaboration?** (CFA Question 13620)
11. **Will the proposed project ensure predictability in building and land use codes?** (CFA Question 13621)

12. Will the proposed project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation? (CFA Question 13622)
13. Will the proposed project mitigate future physical climate risk due to sea-level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data, if applicable? (CFA Question 13623)

Application Certification (CFA Question 1038)

The lead applicant shall agree to the Certification of the information in the CFA application. Applications containing false or inaccurate information may be disqualified upon DOS verification.

VI. Awards and Grant Administration

Awards

Approximately \$4 million is being made available for awards. Of that amount, approximately \$3.6 million will be awarded for implementation projects, and approximately \$400,000 will be awarded for planning projects.

Awards will be based upon an application's total final score. Funding will be awarded to the highest scoring applications until funds are exhausted. A contract will be executed with the lead applicant of each funded project.

Depending upon the availability of funds, DOS may provide only partial funding to projects. Applicants will be notified directly of awards. Award decisions are final and are not subject to appeal. If an awardee fails to satisfactorily negotiate a contract, funding may be awarded to the next highest-scoring application.

Unsuccessful applicants may request a debriefing. Requests must be made in writing within 15 calendar days of notification of decision.

In the event unsuccessful bidders wish to protest the award resulting from this RFA, bidders should follow the protest procedures established by the Office of the State Comptroller (OSC). These procedures can be found in Chapter XI Section 17 of the Guide to Financial Operations (GFO), available on-line at: <http://www.osc.state.ny.us/agencies/guide/MyWebHelp/>.

Contracts

DOS requires that all successful applicants enter into a contract with the State of New York. The state contract details the obligations of the applicant/contractor. Each approved contract will have a five-year term, starting no earlier than January 1, 2024. Awardees must return state contracts to DOS within ninety (90) days from the date DOS sends the complete contract package to the awardee to ensure that funds go to applicants that are ready to move forward. DOS may cancel an award if the state contract is not returned in a timely manner.

Contract Administration

Awardees/contractors must manage projects in accordance with the terms and conditions of the state contract, including following state and local procurement policies. Failure to render satisfactory progress or to complete the project to the satisfaction of the state may cause the suspension or termination of the state's financial obligation. Satisfactory progress includes, but is not limited to, execution of the state contract and submission of all necessary documents for execution by the state, submitting timely payment requests in accordance with the payment schedule in the state contract, completing satisfactory work products, and other tasks negotiated and agreed to in the executed state contract. Project readiness and applicant commitment to completion is a critical part of application review. Extensions beyond the initial contract period will require detailed justification from the awardee.

Schedule of Payments

The Local Government Efficiency Grant Program is a reimbursement program. Expenses incurred after January 1, 2024 are eligible for reimbursement, provided that the applicant has a contract with DOS that has received all required State and local approvals. Expenses incurred prior to the start date of the state contract cannot be reimbursed. The grant contractor will be required to submit payment requests quarterly. Payments will be made for eligible costs incurred until the cumulative amount of such payments totals 90% of the State Share Funding Amount. Payment of the remaining 10% of the State Share Funding Amount will not be made until the project is completed, as determined by DOS.

Required Reports

Each project must achieve results that substantially meet the objectives outlined in the contract's work plan. Recipients of grants must submit project status reports and timeline updates quarterly. Project close-out requires completion of terms and activities outlined in the state contract, and including all deliverables identified in the work plan.

Project Performance

Division of Local Government Services staff monitors each project and conducts site visits during the project execution to assess the rate and quality of progress. Notification of contract related meeting schedules, and submission of photos and other media are required. Some projects may be selected for more extensive review and used as a resource for providing technical assistance.

General Specifications

1. By signing the "Application Form", each applicant attests to the express authority to sign on behalf of the local government and to the accuracy of the information contained in the application.
2. Grantees will possess, at no cost to the State, all qualifications, licenses, insurance and permits to engage in the required business as may be required within the jurisdiction where the work specified is to be performed. Workers to be employed in the performance of this contract, including subcontractors, will possess the qualifications, training, licenses, insurance and permits as may be required within such jurisdiction.
3. Submission of any application indicates the applicant's acceptance of all conditions and terms contained in this RFA, including terms and conditions of the contract.
4. Provisions upon default:
 - a. The services to be performed by the applicant shall be, at all times, subject to the direction and control of DOS as to all matters arising in connection with or relating to the contract resulting from this RFA;
 - b. In the event that the applicant fails to perform any of the terms, covenants or promises of any contract resulting from this RFA, DOS, acting for and on behalf of the State, shall thereupon have the right to terminate the contract by giving notice of the fact and date of such termination to the applicant;
 - c. If, in the judgment of DOS, the applicant acts in such a way which is likely to or does impair or prejudice the interests of the State, DOS, acting on behalf of the State, shall thereupon have the right to terminate any contract resulting from this RFA by giving notice of the fact and date of such termination to the contractor. In such case, the contractor shall receive equitable compensation for such services as shall, in the judgment of DOS, have been satisfactorily performed by the contractor up to the date of the termination of this agreement.

Reserved Rights

DOS reserves the right, including but not limited, to:

1. Reject any or all applications received in response to this RFA.
2. Withdraw the RFA at any time, at the agency's sole discretion.
3. Make an award under the RFA in whole or in part.
4. Disqualify any applicant whose conduct and/or application fails to conform to the requirements of the RFA.
5. Seek clarifications and revisions of applications.
6. Use application information obtained through site visits, management interviews and the State's investigation of an applicant's qualifications, experience, ability or financial standing, and any material or information submitted by the applicant in response to the DOS's request for clarifying information in the course of evaluation and/or selection under the RFA.
7. Prior to the application due date, amend the RFA specifications to correct errors or oversights, or to supply additional information, as it becomes available.
8. Prior to the application due date, direct applicants to submit application modifications addressing subsequent RFA amendments.
9. Change any of the scheduled dates.
10. Eliminate any mandatory, non-material specifications that cannot be complied with by all the prospective applicants.
11. Waive any requirements that are not material.
12. Negotiate with applicants responding to this RFA within the scope of the RFA to serve the best interests of the state.
13. If unsuccessful in negotiating a state contract with the selected applicant within an acceptable time frame, the Department may begin state contract negotiations with the next ranked qualified applicant(s) in order to serve and realize the best interests of the state.
14. Utilize any and all ideas contained in proposals received.
15. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of an application and/or to determine an applicant's compliance with the requirements of the solicitation.
16. Waive or modify minor irregularities in applications received after prior notification to the applicant.
17. Not fund an application that fails to submit a clear and concise work plan or budget.
18. Adjust or correct cost figures with the concurrence of the applicant if errors exist and can be documented to the satisfaction of the DOS and the State Comptroller.
19. Award grants based on geographic or regional considerations to serve the best interests of the state.
20. Award more than one contract resulting from this RFA.
21. In its sole discretion, determine the total number of awards to be granted pursuant to this RFA.
22. Offer partial or no funding to any applicant if its application cannot fulfill its proposed program within the funding restrictions herein.

23. Make additional awards if funding becomes available.
24. Require reporting on forms designed for use solely for this procurement; and,
25. Not to make any awards pursuant to this RFA. This RFA does not commit the Department to award any contracts, to pay the costs incurred in the preparation of a response to this RFA, or to procure or contract for services.
26. In the event there are fewer applications meeting the minimum score in either the planning or implementation category, DOS reserves the right to utilize remaining funds to make additional awards in the other category.

Attachments

Appendix A: Definitions

Appendix B: Fiscal Impact Work Sheet

Appendix C: Minority- and Women-Owned Business Enterprises

Appendix D: Work Plan & Budget template

Appendix A

Definitions

As used in these applications, the following words and terms are defined as follows:

Asset Class means a category of equipment or infrastructure that may be depreciated for tax purposes and may be found in New York State Local Finance Law Section 11.00 - Periods of Probable Usefulness at: <http://public.leginfo.state.ny.us/lawssrch.cgi?NVLWO> .

Budget means a document showing the sources and uses of funds for a project. The budget is broken out into personal and non-personal costs and is included as part of the Work Plan and Budget template.

Capital Cost means the cost of an asset that has a Useful Life of ten years or longer.

Climate Change Initiatives are actions that adhere to the principles of New York State's Climate Leadership & Protection Act and similar climate legislation, which are to transition to cleaner sources of energy and efforts to adjust to the effects of climate change.

Consolidation means either (a) the combination of two or more local government entities resulting in the termination of the existence of each of the entities to be consolidated and the creation of a new local government entity which assumes jurisdiction over all of the terminated local government entities, or (b) the combination of two or more local government entities resulting in the termination of the existence of all but one of the local government entities which shall absorb the terminated local government entity or entities.

Contractual Services means a service performed by one party for another that is secured by a contract.

Cost Savings means reductions in expenses that result directly from the implementation of a project and are expected to continue on an ongoing basis.

County-Wide Shared Services Initiative (CWSSI) Plan means the shared services plan adopted by the County Shared Services Panel, chaired by the Chief Executive Officer of the County under the CWSSI laws, which include Part BBB of Chapter 59 of the Laws of 2017 and General Municipal Law, Article 12-I, Section 239-bb.

Cybersecurity is the protection of software, hardware, and data from digital attacks for the purpose of accessing, changing, destroying, interrupting, or extorting assets and information.

Dissolution means the termination of the existence of a local government entity.

Emergency Services means organizations that ensure public safety, security, and health by addressing and resolving different emergencies. The three primary types of emergency services, often considered first responders, are police, fire, and emergency medical services.

Enterprise Funds means an account for operations that are financed and operated in a manner similar to private business where the intent of the governing body is that the cost (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed and recovered primarily through user charges; or where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

Equipment means an asset that has a Useful Life of less than ten years.

Fiscal Impact means the annual cost savings and/or increased revenues as related to the current tax levy.

Functional Consolidation means one local government entity completely providing a service or function for another local government entity that no longer engages in that service or function. Functional consolidations may occur at the department level or at a budget line-item level between municipalities; the applicant is required to describe this in the narrative.

Functional Priorities include: 1) cybersecurity, 2) emergency services, 3) water and wastewater engineering, and 4) climate change initiatives. Functional Priorities implement DOS's requirement under State Finance Law Section 54 to focus the Local Government Efficiency Grant Program in areas of unique opportunity.

Governing Board means the body in which the general legislative, governmental and/or public powers of a local government entity are vested and by authority of which the official business of such entity is conducted.

Increased Revenues means increases in revenues that result directly from the implementation of a project and are expected to continue on an ongoing basis.

Intermunicipal Agreement means an agreement entered by two or more local government entities pursuant to Article 5-G of the General Municipal Law or other authorizing statutes for the performance among themselves or one for the other of their respective functions, powers and duties on a contract or cooperative basis.

Local Government Entity means a county, city, town, village, special improvement district, fire district, public library, association library, public library systems if they advance a joint application on behalf of its member libraries, water authority, sewer authority, regional planning and development board, school district, or board of cooperative educational services. A board of cooperative educational services will be considered a municipality only in instances where such board of cooperative educational services advances a joint application on behalf of school districts and other municipalities within the board of cooperative educational services region but any agreement with a board of cooperative educational services:

1. Will not generate additional state aid;
2. Will be deemed not to be a part of the program, capital and administrative budgets of the board of cooperative educational services for the purposes of computing charges upon component school districts pursuant to Education Law § 1950(1),(4)(b)(7) or § 1951 (1); and
3. Will be deemed to be a cooperative municipal service for purposes of Education Law § 1950(4)(d)(2).

Non-Priority Applications are applications that include projects that are not: 1) the result of a funded LGE planning project, 2) included in a past or pending Countywide Shared Services Initiative (CWSSI) Plan, or 3) a Functional Priority.

Objective means a component of a work plan resulting in a finished step towards a project's completion.

Operational Impact means the impact on the internal operations or management.

Operating Deficit means gross municipal revenues (including transfer activity) less gross municipal expenditures (including transfer activity) at fiscal year-end divided by gross expenditures in the same fiscal year.

Other as used in the Budget and Work Plan means an asset, service or other cost that is not a personal or contractual service, travel, or equipment.

Performance Measure means a milestone toward completion of a task.

Priority Applications means applications that include: 1) projects implemented as a result of a previously funded LGE planning grant; 2) projects included in a previous or pending Countywide Shared Services Initiative (CWSSI) Plan; and 3) projects that are a Functional Priority.

Project means an undertaking by the applicant and its partners that has the goal of reducing local

government tax levies.

Reasonable Cost is an assurance that the state is receiving good value for its investment. All purchases must follow Article 5-A of the General Municipal Law. Travel rates cannot exceed the General Service Administration (GSA) guidelines <https://www.gsa.gov/travel/plan-book/per-diem-rates> and will be limited to NYS travel rates and salaries must adhere to municipal bargaining rates.

Service Delivery Impact means how the changes to a service will affect the public receiving the service.

Shared Services means the joint provision, performance or delivery of a service, facility, activity, or undertaking by two or more local government entities that each may lawfully undertake separately pursuant to an Intermunicipal Agreement.

Smart Growth means sensible, planned, efficient growth that integrates economic development and job creation with community quality-of-life by preserving and enhancing the built and natural environments. Smart Growth encourages growth in developed areas with existing infrastructure to sustain it, particularly municipal centers, downtowns ("Main Streets"), urban cores, historic districts, and older first-tier suburbs.

State Contract means the agreement between DOS and the applicant/contractor that details the obligations of each party, including the approved budget and work plan.

Straight Line Method is a way to figure depreciation for an asset that deducts the same amount for each year based upon the Useful Life of the asset.

Task means a piece of work to be done or undertaken to meet an objective.

Tax Levy means the ad valorem taxes levied on assessed valuation of real property due in the current year to finance services performed for the common benefit.

Total Project Cost is the total estimated cost of activities, including those expected to be funded with both grant money and other funds that are eligible for funding under this grant program.

Transitional Personnel means any additional employees required to implement the approved program work plan of the project. The employee(s) must be integral to the shared services or functional consolidation. *(DOS reserves the right to approve the reasonableness of the need for the staff and the salary amount.)*

Travel means costs incurred by the applicant, partners, or subcontractors to attend meetings within New York State related to a project.

Useful Life means an estimate of how long an asset can be expected to be usable in trade or business or to produce income.

User Fees means fees charged to external users for goods or services.

Water and Wastewater Engineering means the design and construction of water supply and water treatment/sewage systems that process and deliver water efficiently and safely.

Work Plan means a list of tasks needed to complete the project. A Work Plan is part of a State Contract.

Appendix B

Fiscal Impact Worksheet

The Fiscal Impact Worksheet is used to measure the effect of a project on a local government's finances. Fiscal Impact is the percentage change in tax levy resulting from increased revenues and/or cost savings. The Fiscal Impact Worksheet is used to measure the competitiveness of an application. If approved for funding, the Fiscal Impact Worksheet will be used to measure expectations at the beginning of a project and actual performance upon completion.

Instructions

1. Open the Fiscal Impact Worksheet tab on the bottom left of the page and enter the names of the Lead Applicant and all Co-Applicants into column A.
2. Go to the Office of the State Comptroller's website at www.osc.state.ny. Scroll down to and click on "Open Book New York". Select "Search Local Government Spending" on the Local Government Data page. Click on "Revenues and Expenditures" under Data Categories and "Comparison" under Report Type and then click "Submit".
3. Select the class of local government for all Applicants and the year for which the most recent data are available. "No Data" indicates that data for the year selected are not yet available. Note: Up to four units of local government may be selected at a time. If there are more than four Applicants, clear the selected local governments and select up to four additional Applicants.
4. Click "Submit" and you will be taken to a Comparison Report for the local governments selected.
5. For budget items funded by property taxes through the General Fund (A & B funds), select "Real Property Taxes and Assessments". For budget items funded by user fees through an Enterprise Fund (FX,G & S_ funds), select "Charges for Services". Enter the year for which the most recent data are available into column B and either property taxes and assessments or user fees into column C of the Worksheet.
6. Enter the anticipated change in Revenues resulting from the project into Column E. Increases should be entered as a positive value and decreases as a negative value.
7. Enter the anticipated change in Expenditures resulting from the project into Column F. Increases should be entered as a negative value and decreases as a positive value.
8. The Fiscal Impact Workbook will automatically calculate the Fiscal Impacts for each Applicant. These appear in column G (\$ amounts) and column H (% amounts) of the Worksheet. Higher revenues and lower expenditures after completion of the project will appear as positive Fiscal Impacts. Lower revenues and higher expenditures will appear as negative Fiscal Impacts. Combined values for all applicants appear on the bottom row.
9. Save the all worksheets as a PDF file using the "Save as Adobe PDF" function in Excel.
10. Upload the saved PDF into the CFA (Question 12354).

2023-2024 Fiscal Impact Worksheet

Instructions:

1. In the **GREEN** area below, enter the name of the lead and co-applicants. Do not enter information into the **GREY** cells, which are auto-calculated. Then enter the fiscal year for the data used and the total real property taxes and assessments (tax levy) for budget items funded by property taxes through the General Fund (A & B funds) or user fees for budget items funded by fees through Enterprise Funds (FX, G & S funds). Combine for each applicant the changes in revenues and expenditures expected to result from the project under consideration. Enter increases in revenues as a positive value and decreases as a negative value. Enter increases in expenditures as a negative value and decreases as a positive value.

2. In the example below, Town A consolidates its emergency 911 dispatch operations into the county sheriff's office and closes its dispatch center. This is done by transferring 4 of its 5 dispatch operators (who each earn \$50,000) to the county and contracting with the county for 911 services for an annual payment of \$90,000. Town A therefore realizes a net decrease in expenditures of \$110,000 (\$200,000 reduction in salaries less \$90,000 in contractual expenditures to county).

3. Once the worksheet is completed, export the worksheet as a PDF to attach to the CFA. Export as a PDF using your program's menus.

| EXAMPLE | | | | | | | | Notes |
|-----------------|--------|-------------|-----------------------|------------------------------------|--|--------------------|-------------------|--|
| | Name | Fiscal Year | Tax Levy or User Fees | Change in Revenues | Change in Expenditures | Fiscal Impact (\$) | Fiscal Impact (%) | |
| Lead Applicant | County | 2019 | \$ 75,000,000 | \$ 90,000 | | \$ 90,000.00 | 0.12% | Contractual payment to Town A |
| Co-Applicant 1 | Town A | 2019 | \$ 6,500,000 | | \$ 110,000 | \$ 110,000.00 | 1.69% | Reduction in salaries less contractual payment to county |
| Total | | | \$ 81,500,000 | | | \$ 200,000.00 | 0.25% | |
| | Name | Fiscal Year | Tax Levy or User Fees | Increase or (Decrease) in Revenues | (Increase) or Decrease in Expenditures | Fiscal Impact (\$) | Fiscal Impact (%) | Notes |
| Lead Applicant | | | | | | \$ - | - | |
| Co-Applicant 1 | | | | | | \$ - | - | |
| Co-Applicant 2 | | | | | | \$ - | - | |
| Co-Applicant 3 | | | | | | \$ - | - | |
| Co-Applicant 4 | | | | | | \$ - | - | |
| Co-Applicant 5 | | | | | | \$ - | - | |
| Co-Applicant 6 | | | | | | \$ - | - | |
| Co-Applicant 7 | | | | | | \$ - | - | |
| Co-Applicant 8 | | | | | | \$ - | - | |
| Co-Applicant 9 | | | | | | \$ - | - | |
| Co-Applicant 10 | | | | | | \$ - | - | |
| Total | | | \$ - | | | \$ - | - | |

If your project impacts more than 10 eligible municipalities, please contact the Department of State to ensure that the proper adjustments are made to this form to maintain accuracy.

Appendix C

MINORITY-AND WOMEN-OWNED BUSINESS ENTERPRISES (MWBE)

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR PARTICIPATION BY NEW YORK STATE-CERTIFIED MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES, EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN, AND SERVICE-DISABLED VETERAN-OWNED BUSINESSES

I. MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES PARTICIPATION

NEW YORK STATE LAW

Pursuant to New York State Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations DOS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of DOS contracts.

Business Participation Opportunities for MWBEs

The Department’s New York State-certified Minority and Women-owned Business Enterprises (“MWBEs”) utilization goal is 30%. For purposes of this solicitation, the specific MWBE goal and the breakdown between the Minority-owned Business Enterprise (“MBE”) and the Women-owned Business Enterprise (“WBE”) utilization goals shall be established post award and set forth in the DOS contract, in the Attachment B “Budget” (based on the current availability of MBEs and WBEs). A contractor (“Contractor”) on any contract resulting from this procurement (“Contract”) must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors and suppliers in the performance of the Contract. To that end, by submitting a response to this RFA, the respondent agrees that DOS may withhold payment pursuant to any Contract awarded as a result of this RFA pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com/frontend/vendorsearchpublic.asp>. For guidance on how DOS will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The respondent understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25 percent of the total value of the broker’s contract.

FOR CONSTRUCTION CONTRACTS – The portion of a contract with an MWBE serving as a supplier that shall be deemed to represent the commercially useful function performed by the MWBE shall be 60 percent of the total value of the supplier’s contract. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be the monetary value for fees, or the markup percentage, charged by the MWBE.

In accordance with 5 NYCRR § 142.13, the respondent further acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in a Contract resulting from this RFA, such finding constitutes a breach of contract and DOS may withhold payment as liquidated damages. Such liquidated damages shall be calculated as an amount equaling the difference between: (1)

all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a proposal, a respondent agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the New York State Contract System ("NYSCS"), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a respondent may arrange to provide such evidence via a non-electronic method by contacting DOS. As a contractor of New York State, you have a responsibility to utilize certified minority- and/or women-owned businesses in the execution of your contracts, per the MWBE percentage goals stated in your solicitation, proposal, or contract documents. Through the NYSCS you will submit utilization plans, request subcontractors, record payments to subcontractors, and communicate with your project manager throughout the life of your awarded contracts.

Applicants are required to submit the MWBE Compliance Form with their application.

Additionally, successful applicants will be required to submit the following documents and information within ten (10) business days after the applicant receives notice from DOS that the grant is being awarded as evidence of compliance with the foregoing:

An MWBE Utilization Plan (**Form D**) or a Certification Letter (**Form D-1**) stating their commitment to show due-diligence to comply with the MWBE goals and requirements. Any modifications or changes to an accepted MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to DOS for review and approval.

The DOS shall review the submitted MWBE Utilization Plan or Certification Letter and issue a written notice of acceptance or notice of deficiency within 20 days of receipt of utilization plan or certification letter.

If a notice of deficiency is issued, the respondent will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to the DOS, at the address provided below, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by DOS to be inadequate, DOS shall notify the respondent and direct the respondent to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the proposal.

Please see details under "**Additional Notices and Explanations Regarding the MWBE Program and this Request for Applications.**"

DOS may disqualify a respondent as being non-responsive under the following circumstances:

- a) If a respondent fails to submit an MWBE Utilization Plan or certification letter;
- b) If a respondent fails to submit a written remedy to a notice of deficiency;
- c) If a respondent fails to submit a request for waiver; or
- d) If DOS determines that the respondent has failed to document good faith efforts.

Successful applicant(s) will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to DOS but must be made no later than prior to the submission of a request for final payment on the Contract.

Successful applicant(s) will be required to submit a quarterly M/WBE Contractor Compliance & Payment Report to DOS, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

Equal Employment Opportunity Requirements

By submission of a proposal in response to this solicitation, the respondent agrees with all the terms and conditions of the New York State Master Grant Contract, Section IV (J) - Equal Employment Opportunities for Minorities and Women. The respondent is required to ensure that it and any subcontractors awarded a subcontract for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the respondent, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

Additionally, successful applicants will be required to submit the following documents and information within ten (10) business days after the applicant receives notice from DOS that the grant is being awarded as evidence of compliance with the foregoing:

- A. A Minority and Women-owned Business Enterprise and Equal Employment Opportunity Policy Statement (**Form A**) to DOS.
- B. A Workforce Utilization Report (**Form C**) and shall require each of its Subcontractors to submit a Workforce Utilization Report, in such format as shall be required by DOS on a quarterly basis during the term of the Contract, to the Bureau of Fiscal Management at:

[Email: dos.sm.mwbe@dos.ny.gov](mailto:dos.sm.mwbe@dos.ny.gov)

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and subcontractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Additional Notices and Explanations Regarding the MWBE Program and Successful Applications to this Request for Applications:

If your project is selected for an award, you will be required to show due diligence to comply with all the MWBE contractual requirements, including meeting the goals for certified MWBE firms participation as stated in your Contract and in accordance with NYS Executive Law Article 15-A.

If an applicant chooses to move forward with a project prior to any award announcement, they are responsible for meeting MWBE requirements established by the State of New York. The requested plan, as described herein, is intended to help an applicant think about how to comply with the regulations and provide information showing their due diligence to comply with the MWBE requirements.

Successful applicants notified by the NYS Contract System (System) that a record for the submission of the utilization plan has been created, must comply with this requirement by entering the Utilization Plan data in the System through the Statewide Utilization Management Plan (SUMP) module.

If you are unable to comply with the MWBE goals, you must request a waiver of these requirements by submitting to the DOS the REQUEST FOR WAIVER FORM E, found on the DOS funding page, for processing. Please note that the following information will be required to secure the waiver (all items may not apply to your case, but provide information and documentation for those that apply):

1. A DETAILED statement with the project description (any special characteristics, needs, specifications, etc.), and an explanation setting forth your basis and justification for requesting a partial or total waiver of the MWBE goals.

2. The names of general circulation, trade association, and MWBE-oriented publications in which you solicited certified MWBEs for the purposes of complying with your participation goals related to this Contract.
3. A list identifying the date(s) that all solicitations for certified MWBE participation were published in any of the above publications.
4. A list of all certified MWBEs appearing in the NYS Directory of Certified Firms that were solicited for purposes of complying with your certified MWBE participation levels.
5. Documentation of your search in the NYS Directory of Certified Firms (e.g.: Printouts, screenshots).
6. Copies of notices, dates of contact, letters, and other correspondence as proof that solicitations were made in writing and copies of such solicitations, or a sample copy of the solicitation, if an identical solicitation was made to all certified MWBEs. Any information and/or documentation to support the efforts to follow up with the MWBEs.
7. Copies of responses to your solicitations received by you from certified MWBEs
8. A description of any contract documents, plans, or specifications made available to certified MWBEs for purposes of soliciting their proposals and the date and manner in which these documents were made available.
9. Documentation of any negotiations between you and the MWBEs undertaken for purposes of complying with the certified MWBE participation goals.
10. Any other information you deem relevant which may help us in evaluating your request for a waiver.
11. The name, title, address, telephone number, and email address of your representative authorized to discuss and negotiate this waiver request.
12. Copy of notice of application receipt issued by Empire State Development (ESD), if subcontractors are not certified MWBE, but an application has been filed with ESD.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

II. SERVICE-DISABLED VETERAN-OWNED BUSINESSES PARTICIPATION

Article 17-B of the Executive Law, enacted in 2014, authorized the creation of the Division of Service-Disabled Veterans' Business Development to promote participation of Service-Disabled Veteran-Owned Businesses (SDVOBs) in New York State contracting. The Service-Disabled Veteran-Owned Business Act recognizes the veterans' service to and sacrifice for our nation, declares that it is New York State's public policy to promote and encourage the continuing economic development of service-disabled veteran-owned businesses, and allows eligible Veteran business owners to become certified as a New York State Service-Disabled Veteran-Owned Business (SDVOB), in order to increase their participation in New York State's contracting opportunities. To this effect, DOS has implemented a Veteran-Owned Businesses (SDVOB) Program, as mandated by Article 17-B.

To comply with the SDVOB Program goals of 6%, the DOS strongly encourages grantees to make every effort, to the maximum extent possible, to engage certified SDVOBs in the purchasing of commodities, services and technology in the performance of their contracts with the Department. If SDVOB utilization is obtained, a quarterly SDVOB utilization report should be submitted to the Department with information of the utilization percentage achieved during that quarter. Contractor Reporting Forms are found at: <https://ogs.ny.gov/Veterans/>.

The Division of Service-Disabled Veterans' Business Development (DSDVBD) is housed within the New York State Office of General Services (OGS) and maintains a directory of the NYS Certified SDVOBs. For assistance with engaging SDVOB vendors in your contracts, please contact the Division of Service-Disabled Veterans' Business Development at the following email address: VeteransDevelopment@ogs.ny.gov, or the Bureau of Fiscal Management – SDVOB Program at dos.sm.sdvob@dos.ny.gov. The directory of certified SDVOB vendors can be found at: https://ogs.ny.gov/Veterans/Docs/CertifiedNYS_SDVOB.pdf

Appendix D

Work Plan & Budget Template

Work Plan

To complete the Work Plan sheet, you must fill in the green boxes. Each Work Plan Objective with its associated Tasks should be entered separately. Objectives are the principal components of a project, including planning, design, construction and other. Tasks are the specific actions needed to complete each Objective. Ten spaces for Objectives and Tasks have been provided. If you need additional spaces, please contact us and we will issue an expanded Work Plan form. Our contact information can be found on the face page of the Request for Applications. To complete the Budget, fill in the green boxes for each Task in the appropriate cost category, including salaries & fringe, contractual services, travel, equipment and other. Total project costs are auto-calculated at the end of the form. You must enter the amount of LGE funding requested (10% of project costs for implementation projects and 50% for planning) as well as any additional outside funding. If the Verification box is green, sources and uses of funds are matched. If the box is red, there is a mismatch between funding sources and uses which needs to be corrected. The Department of State will evaluate the clarity and detail of the work plan, including the project timeline, specific phases, associated tasks, and deliverables. In addition, the feasibility of the workplan to complete the project within the scope and timeline will be evaluated. The following are the items that need to be entered:

Work Plan Component

- **Objective Number and Name:** Provide a sequential number and name for the Objective.
- **Task Name:** Provide a name for the Task.
- **Anticipated Start Date:** When the Task will start.
- **Anticipated Completion Date:** When the Task will be completed.
- **Deliverable:** What must be provided to the Department of State to show that the task has been completed. For example this may include deliverables such as a draft or completed study or plan, an IMA to move the project forward, meeting summary reports, completion of project, etc.
- **Task Narrative:** Describe what is being done to complete the Task and accomplish the objective. A project may include:
 1. An examination of the potential financial savings, management improvements, and service delivery changes resulting from a local government re-organization,
 2. Legal issues and impediments surrounding implementation,
 3. Analysis of how the plan or project will meet the objectives or lead to implementation.

BUDGET INFORMATION

Indicate the estimated costs for each task and provide a description where necessary. Include all costs for the entire project. Only eligible categories have been shown, although projects may not be eligible for all categories. Please review the Guidance document for additional information.

- **Personal Services**
 - o **Salaries and Fringe:** Each employee's time devoted to the project according to the total annual salary for that employee. For example, an employee who devotes 20% of their time to the project and has an annual salary of \$40,000 would charge \$8,000 to the project
- **Non Personal Services**
 - o **Contractual Services:** The cost and description of the purpose of contractual services.
 - o **Travel:** The description of the purpose, destination, mode of travel and costs. Travel rates cannot exceed General Service Administration (GSA) guidelines <https://www.gsa.gov/travel/plan-book/per-diem-rates>
 - o **Equipment:** Items with a value of more than \$200.00 and a useful life of more than one year.
 - o **Other:** Any other services and costs, including capital expenses related to construction or renovation.

The Budget automatically totals at the bottom of the Work Plan. Total Project Cost is reflected by the information provided in the budget for each task. Please also provide the, Requested Grant Funds, Local Share and Other funds being used for the project.

2023 - 2024 LGE Grant Budget and Work Plan

| | | |
|-------------------------------------|------------------------------|-------------|
| Objective # (Title) | Task 1: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | |
| Personal Services | COST | DESCRIPTION |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | \$ - | |
| Objective # (Title) | Task 2: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | |
| Personal Services | BUDGET AMOUNT | DESCRIPTION |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | \$ - | |
| Objective # (Title) | Task 3: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | |
| Personal Services | BUDGET AMOUNT | DESCRIPTION |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | \$ - | |

2023 - 2024 LGE Grant Budget and Work Plan

| | | |
|-------------------------------------|------------------------------|---|
| Objective # (Title) | Task 4: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | |
| BUDGET AMOUNT | | |
| DESCRIPTION | | |
| Personal Services | | |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | \$ | - |
| Objective # (Title) | Task 5: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | |
| BUDGET AMOUNT | | |
| DESCRIPTION | | |
| Personal Services | | |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | \$ | - |
| Objective # (Title) | Task 6: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | |
| BUDGET AMOUNT | | |
| DESCRIPTION | | |
| Personal Services | | |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | \$ | - |

2023 - 2024 LGE Grant Budget and Work Plan

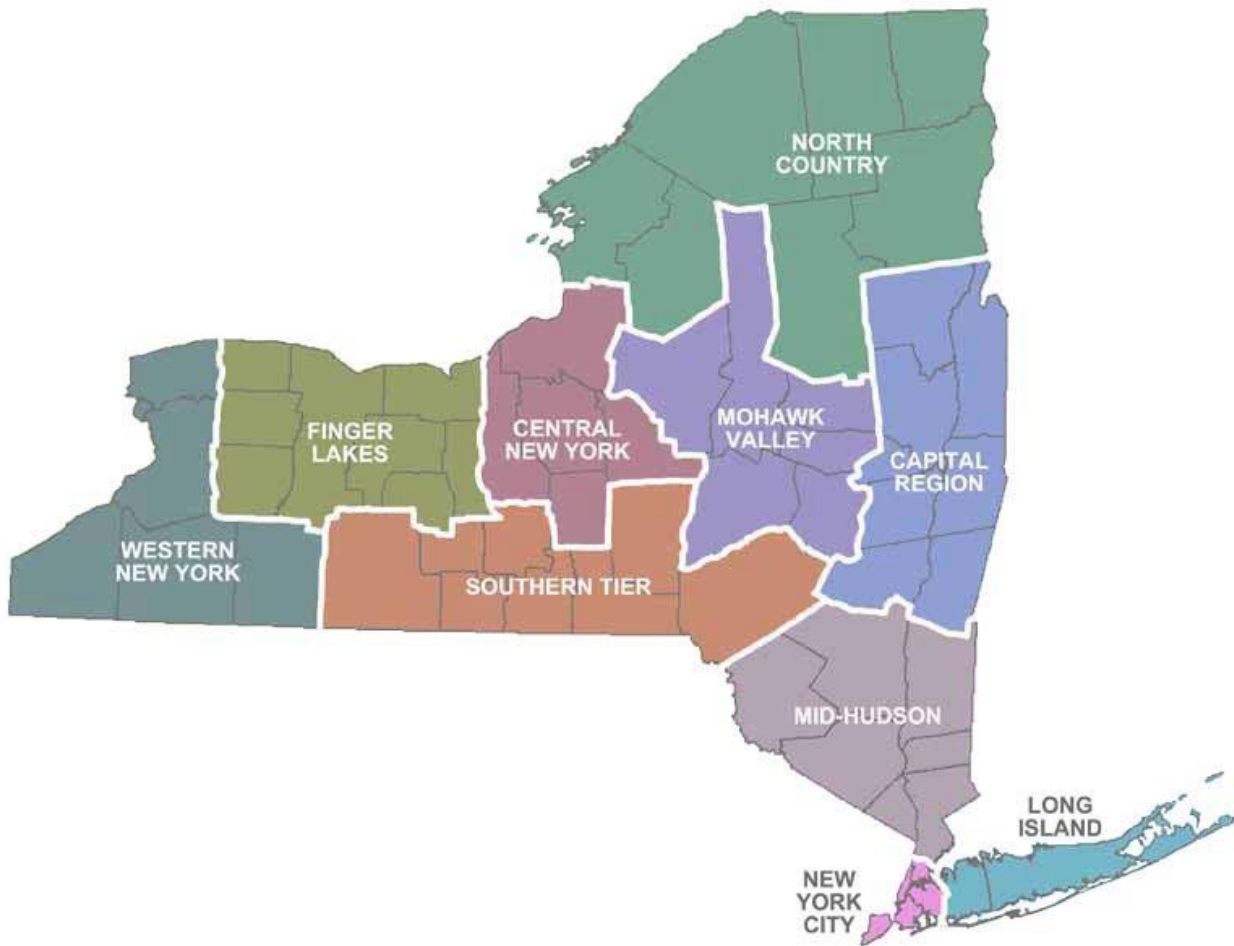
| | | |
|-------------------------------------|------------------------------|---------------|
| Objective # (Title) | Task 7: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | BUDGET AMOUNT |
| Personal Services | | |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | | \$ - |
| Objective # (Title) | Task 8: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | BUDGET AMOUNT |
| Personal Services | | |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | | \$ - |
| Objective # (Title) | Task 9: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | BUDGET AMOUNT |
| Personal Services | | |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | | \$ - |

2023 - 2024 LGE Grant Budget and Work Plan

| | | |
|-------------------------------------|------------------------------|---|
| Objective # (Title) | Task 10: | |
| | Anticipated Start Date: | |
| | Anticipated Completion Date: | |
| | Performance Measures: | |
| Task Narrative: See Instructions | | |
| BUDGET CATEGORIES | | |
| BUDGET AMOUNT | | |
| DESCRIPTION | | |
| Personal Services | | |
| Salary | | |
| Fringe | | |
| Non-Personal Services | | |
| Contractual Services | | |
| Travel | | |
| Equipment | | |
| Other | | |
| TOTAL | \$ | - |

| Verification | TOTAL PROJECT COST | LGE GRANT FUNDS REQUESTED | LOCAL SHARE | OTHER FUNDS |
|--------------|--------------------|---------------------------|-------------|-------------|
| | \$ - | | | |

New York State Regional Economic Development Council Regions



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GOVERNOR

ROBERT J. RODRIGUEZ
SECRETARY OF STATE